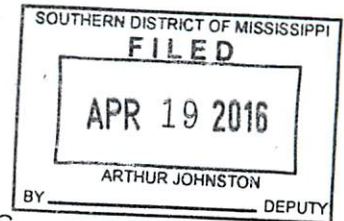


UNITED STATES DISTRICT COURT

for the
Southern District of Mississippi

United States of America
v.
Seneka DeAndre Williams,
Jermaine Marquette McFadden, Jr. and
Daylan Gardell Polk

Case No. 1:16mj24-JCG

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 18, 2016 in the county of Harrison in the
Southern District of MS, Southern Division, the defendant(s) violated:

Code Section

21 U.S.C. 846

Offense Description

Conspiracy to Possess with Intent to Distribute a Controlled Substance, to wit, more than 500 grams or more of a mixture or substance containing a detectable amount of cocaine hydrochloride, a schedule II narcotic drug controlled substance.

This criminal complaint is based on these facts:

See affidavit attached hereto and incorporated herein

☒ Continued on the attached sheet.

A handwritten signature in blue ink, appearing to read "Brent Arthur".

Complainant's signature

Brent Arthur, Special Agent/DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/19/2016City and state: Gulfport, MS

A handwritten signature in blue ink, appearing to read "John C. Gargiulo".

Judge's signature

John C. Gargiulo, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Brent Arthur, being first duly sworn, state as follows:

Introduction

I am a Special Agent (SA) with the United States Department of Justice, Drug Enforcement Administration (DEA). I have been employed with the DEA since 2010. I am currently assigned to the Gulfport Resident Office located in Gulfport, MS. During the course of my employment, I have participated in numerous investigations of illegal narcotics trafficking and violations of Title 21 United States Code.

Probable Cause Factual Basis

On April 18, 2016, members of the DEA Gulfport Resident Office (GRO) observed Seneka DeAndre WILLIAMS and Jermaine Marquette MCFADDEN Jr depart a Greyhound Bus at the Greyhound Bus terminal in Biloxi, Mississippi while both were carrying a backpack. Agents observed WILLIAMS and MCFADDEN walk to the Waffle House located at 111 Reynoir Street, Biloxi, Mississippi. While walking, both WILLIAMS and MCFADDEN were talking on their cell phones and looking around nervously and MCFADDEN was walking a short distance behind WILLIAMS. Once he arrived at the Waffle House parking lot, WILLIAMS entered a silver Nissan Maxima and departed the parking lot. Agents and members of the Biloxi Police Department observed the vehicle travel to the parking garage of the Hard Rock Casino in Biloxi, Mississippi. Once they arrived in the parking garage, members of the Biloxi Police Department made contact with them in the parking garage and identified the driver of the vehicle as Daylan Gardell POLK and the passenger as WILLIAMS. Agents from the GRO arrived to assist and consent was given for agents to search the vehicle. POLK stated that he had a bag in the vehicle that contained currency. During the search of the vehicle, agents located a bag that contained bulk U.S. Currency. WILLIAMS and POLK were detained and relocated to the GRO for further investigation.

During this same time, agents observed MCFADDEN enter the Waffle House, but not eat. MCFADDEN exited the Waffle House and went to the Shell gas station located next door. MCFADDEN appeared nervous and put his hands under his shirt multiple times. While MCFADDEN was sitting on the ground in the Shell parking lot, a Biloxi Police Officer pulled into the Shell parking lot and MCFADDEN immediately got up and walked back toward the Waffle House. MCFADDEN went inside the Waffle House and entered the restroom, which is a single stall restroom. When MCFADDEN exited the restroom, a GRO Task Force Agent entered the restroom and observed the lid of the trash can swinging. Inside the trash can, the agent observed a body band and a package wrapped in plastic. Agents recovered the items from the trash can and found the package to contain a white powdery substance. A presumptive test was conducted on the contents of the package, which yielded positive results for cocaine. The cocaine had a gross weight of approximately 1.1 kilograms. Agents then took MCFADDEN into custody and agents noticed markings on MCFADDEN's torso consistent with wearing a band around

his torso. MCFADDEN, after being advised of his Miranda rights, stated that he wore the body band and package found in the trash can while he traveled from Houston, Texas to Biloxi, Mississippi via Greyhound Bus. MCFADDEN was also relocated to the GRO for further investigation.

Once at the GRO, WILLIAMS was advised of his Miranda rights and stated that he traveled with his son, MCFADDEN, from Houston, Texas to Biloxi, Mississippi via Greyhound Bus. WILLIAMS explained that they were delivering a kilogram of cocaine to POLK in exchange for \$31,000. WILLIAMS also explained that he made 3 previous trips delivering cocaine to Biloxi, Mississippi via Greyhound Bus.

CONCLUSION

Based upon my experience as a DEA Special Agent and the facts listed above involving Seneka DeAndre WILLIAMS, Jermaine Marquette MCFADDEN Jr., and Daylan Gardell POLK, it is my opinion that there is probable cause to believe that Seneka DeAndre WILLIAMS, Jermaine Marquette MCFADDEN Jr., and Daylan Gardell POLK committed violations of 21 U.S.C. §846, *i.e.* conspiracy to possess with intent to distribute more than 500 grams of cocaine hydrochloride in the Southern District of Mississippi.



Brent Arthur
Special Agent
Drug Enforcement Administration

Sworn and subscribed to me this 19th day of April, 2016.



UNITED STATES MAGISTRATE JUDGE